



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

**FEB 28 2008**

Mr. Roderick L. Bremby, Secretary  
Kansas Department of Health and Environment  
Office of the Secretary  
1000 SW Jackson, Suite 540  
Topeka, Kansas 66612-1368

Dear Mr. Bremby:

Re: Upper Arkansas, Missouri and Marais des Cygnes River Basins TMDLs

This letter responds to the submission from the Kansas Department of Health and Environment (KDHE) on September 5, 2007, of 14 final Total Maximum Daily Load (TMDL) documents. This submittal fulfills the Clean Water Act statutory requirement to develop TMDLs for those waters listed on the Kansas §303(d) list. Specifically, these 14 documents, representing their water bodies and impairments, were addressed:

- Rock Creek Lake – Eutrophication
- Indian Creek – Nitrate
- Lake Crawford State Park – Eutrophication
- South Fork Big Nemaha River – Biology
- Louisburg State Fishing Lake – Eutrophication
- Bourbon County State Fishing Lake – Dissolved Oxygen, Eutrophication and pH
- Wyandotte County Lake – Eutrophication
- Arkansas River (CO to Pierceville) – Selenium
- Pony Creek Lake – Eutrophication
- Big Sugar Creek – Dissolved Oxygen
- West Fork Drywood Creek – Dissolved Oxygen
- Turkey Creek – Atrazine
- Wolf River – Biology
- Atchison County State Fishing Lake - Siltation

The United States Environmental Protection Agency (EPA), Region 7, reviewed each of the 14 TMDL submittals. EPA has completed its review of the TMDLs for which KDHE has completed revisions, supporting documentation and information. By this letter, EPA is approving all 14 of the TMDL documents submitted.

EPA Region 7 TMDL review forms are enclosed with this letter which summarizes the rationale for EPA's approval for each approved TMDL document. EPA believes the separate

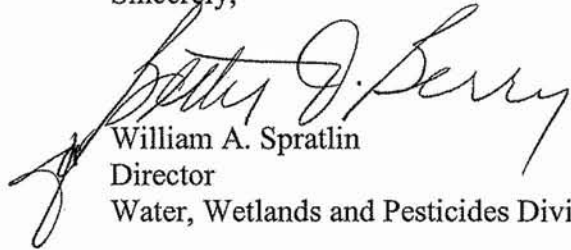


elements of the TMDLs described in the review forms adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

EPA has engaged in consultation under Section 7 of the Endangered Species Act with the United States Fish and Wildlife Service regarding these TMDLs. While EPA is approving these TMDLs at the present time, EPA may decide that changes to the TMDLs are warranted based upon the results of the consultation when it is completed.

EPA commends KDHE on its efforts to submit these TMDLs for the Upper Arkansas, Missouri and Marais des Cygnes River Basins. We appreciate the thoughtful teamwork and partnering effort that Kansas has put forth in the development of these TMDLs. We will continue to cooperate and assist, as appropriate, in future efforts by Kansas to develop TMDLs.

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Spratlin", is written over the typed name and title.

William A. Spratlin

Director

Water, Wetlands and Pesticides Division

Enclosures

cc: Tom Stiles

Kansas Department of Health and Environment